

## RESOLUTIONS.

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Court against the Bank of Newbern; and whereas these matters appear in the report of the Public Treasurer made to the General Assembly at the present session; and are thereby submitted to the consideration of the Legislature; be it therefore

*Resolved by the General Assembly of the State of North Carolina,* That the Public Treasurer be authorised and required to settle these conflicting claims with the Bank of Cape Fear, upon the same principles and under the same rules that he may settle with the Bank of Newbern under the contemplated decision of Supreme Court; and if under said decision and in pursuance of this resolution it should be necessary or proper to refund any sum or sums so paid as aforesaid by the Bank of Cape Fear, that he be allowed the same in settlement of his accounts as Public Treasurer.

*Resolved, by the General Assembly of the State of North Carolina,* That the Secretary of State, be, and he is hereby required to issue a grant to Mary Edwards, Joseph Brittain, Amelia Edwards, Philip Brittain, Kesiah Pace, Benjamin S. Brittain Nancy Stewart, Comfort Bell, William Brittain, Susan M. Wilson, James Brittain, Lorenza Dow Brittain, Hiram N. Brittain and Delila Brittain heirs at law of James Brittain Deceased, upon an entry made in the county of Buncombe number one thousand two hundred and seventy-four, upon producing the receipt of the Treasurer to James Brittain deceased, dated December the second, one thousand eight hundred and twenty three, number two hundred and ninety-two, the warrant and survey hereinafter provided to be made.

*Be it further resolved,* That the entry taker for the county of Buncombe, shall, and he is hereby required and authorised to issue a warrant to the surveyor for said county commanding him in manner now prescribed by law; to make survey of said entry number one thousand two hundred and seventy-four.

*Be it further resolved,* That this resolution shall not be construed to affect any rights acquired by other individuals.

*Resolved,* That the Secretary, Comptroller and Treasurer, be directed to employ some fit person to repair the roof of the Government House, to be paid on the completion of said work by the Treasurer out of any money in the Treasury, for which he shall be allowed in the settlement of his public accounts; that the Governor of the State be requested to inform Mr. Thomas Bragg, that it is necessary for him to complete the work on the office of Secretary of State agreeably to his contract.

*Resolved further,* That should the said Thomas Bragg refuse to perform said work, then in that event, the Secretary, Treasurer and Comptroller shall have said work completed; the expense thereof to be paid out of any money in the Treasury not otherwise appropriated, and the Governor is hereby authorised to direct a suit to be instituted against said Thomas Bragg for refusing to comply with the terms of his contract.

*Resolved,* That the Treasurer and Attorney General, be instructed to take the necessary proceedings for the purpose of ascertaining by a decision of the supreme court, whether the Cape Fear and Newbern Banks in paying the tax required by law out of the profits of said Banks, before dividends are declared, have acted in pursuance of the proper construction of that part of their charters, which enacts that a tax of one per cent. shall be levied upon all the Stockholders &c.; and whether the proper construction of their charters does not require that dividends should be first declared, and that the tax should then be retained out of the dividends of the individual stockholders, so that the tax may be paid by the individual stockholders and not by the Bank.